

In addition, section 23 of the 1984 Act, 46 USC app. 1721, provides that a common carrier's tariff may be suspended for violations of section 10(a)(1) of the 1984 Act.

Now therefore, it is ordered, That pursuant to sections 10, 11, 13, 14 and 23 of the 1984 Act, 46 USC app. 1709, 1710, 1712, 1713 and 1721, an investigation is instituted to determine:

(1) whether Refrigerated Container Carriers Pty. Limited violated section 10(a)(1) of the 1984 Act between February 14, 1994 and September 11, 1996, by knowingly and willfully, directly or indirectly obtaining or attempting to obtain ocean transportation at less than the rates and charges otherwise applicable by means of an agreement whose terms were not filed in the applicable tariff(s) or essential terms publication(s) with the Commission;

(2) whether, in the event violations of section 10(a)(1) of the 1984 Act are found, civil penalties should be assessed against Refrigerated Container Carriers Pty. Limited, and if so, the amount of penalties to be assessed;

(3) whether, in the event violations of section 10(a)(1) of the 1984 Act are found, the tariff of Refrigerated Container Carriers Pty. Limited should be suspended or canceled; and

(4) whether, in the event violations are found, an appropriate cease and desist order should be issued against Refrigerated Container Carriers Pty. Limited.

It is further ordered, That a public hearing be held in this proceeding and that this matter be assigned for hearing before an Administrative Law Judge of the Commission's Office of Administrative Law Judges at a date and place to be hereafter determined by the Administrative Law Judge in compliance with Rule 61 of the Commission's Rules of Practice and procedure, 46 CFR 502.61. The hearing shall include oral testimony and cross-examination in the discretion of the Presiding Administrative Law Judge only after consideration has been given by the parties and the Presiding Administrative Law Judge to the use of alternative forms of dispute resolution, and upon a proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matters in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record;

It is further ordered, That Refrigerated Container Carriers Pty. Limited is

designated as Respondent in this proceeding;

It is further ordered, That the Commission's Bureau of Enforcement is designated a party to this proceeding;

It is further ordered, That notice of this Order be published in the **Federal Register**, and a copy be served on parties of record;

It is further ordered, That other persons having an interest in participating in this proceeding may file petitions for leave to intervene in accordance with Rule 72 of the Commission's Rules of Practice and Procedure, 46 CFR 502.72;

It is further ordered, That all further notices, orders, and/or decisions issued by or on behalf of the Commission in this proceeding, including notice of the time and place of hearing or prehearing conference, shall be served on parties of record;

It is further ordered, That all documents submitted by any party of record in this proceeding shall be directed to the Secretary, Federal Maritime Commission, Washington, DC 20573, in accordance with Rule 118 of the Commission's Rules of Practice and Procedure, 46 CFR 502.118, and shall be served on parties of record; and

It is further ordered, That in accordance with Rule 61 of the Commission's Rules of Practice and Procedure, the initial decision of the Administrative Law Judge shall be issued by November 18, 1999 and the final decision of the Commission shall be issued by March 17, 2000.

By the Commission.

Joseph C. Polking,
Secretary.

[FR Doc. 98-31281 Filed 11-23-98; 8:45 am]

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FEDERAL MARITIME COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: Federal Maritime Commission.

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 63 FR 64510.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 9:00 a.m.—November 24, 1998.

CHANGE IN THE MEETING:

Addition to the CLOSED portion of the meeting.

Item 2—Report on Brazilian Maritime Policies Affecting U.S.-Brazil Trades.

CONTACT PERSON FOR MORE INFORMATION:
Joseph C. Polking, Secretary, (202) 523-5725.

Joseph C. Polking,
Secretary.

[FR Doc. 98-31561 Filed 11-20-98; 3:58 pm]

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FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 et seq.) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act. Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than December 18, 1998.

A. Federal Reserve Bank of Cleveland
(Paul Kaboth, Banking Supervisor) 1455 East Sixth Street, Cleveland, Ohio 44101-2566:

1. *F.N.B. Corporation*, Hermitage, Pennsylvania; to acquire 100 percent of the voting shares of Guaranty Bank and Trust Company, Venice, Florida, and thereby indirectly acquire Southwest Interim Bank No. 5, National Association, Sarasota, Florida.

B. Federal Reserve Bank of San Francisco (Maria Villanueva, Manager of Analytical Support, Consumer